

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 0891

House Bill No. 0695

by deleting Sections 18 through 26 of the act in their entirety and by substituting instead the following:

SECTION 18. Any reference in this act to the public service commission shall be deemed to be a reference to the comptroller of the treasury only if such public service commission is terminated pursuant to the provisions of the Tennessee governmental entity review law and no successor agency is designated by law. In such event, all duties, functions, responsibilities and obligations of the public service commission are hereby transferred to the office of the comptroller of the treasury and the provisions of Sections 18 through 22 of this act shall become law, otherwise such sections shall be void and of no effect.

SECTION 19.

(a) Notwithstanding the provisions of Tennessee Code Annotated, Section 8-30-101(a)(23)(J), to the contrary, all employees of the public service commission on the date of termination of such commission shall be members of the "state service" as such term is defined in Tennessee Code Annotated, Section 8-30-101.

(b) In addition to the designations of career and executive service employees in Tennessee Code Annotated, Section 8-30-208, the following members of the state service as designated in subsection (a) of this section shall be included in the executive service:

- (1) Members of the public utilities commission,
- (2) The executive director of the public utilities commission,

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(3) The personal staff of the members of the public utilities
commission,

(4) The division directors and assistant division directors of the public
utilities commission, and

(5) Any attorneys employed by the public utilities commission.

(c) In addition to the designations of career and executive service employees in
Tennessee Code Annotated, Section 8-30-208, all other members of the state service as
designated in subsection (a) of this section and not included in subsection (b) of this section
shall be included in the career service.

(d) The provisions of Tennessee Code Annotated, Title 8, Chapter 30, Part 3, relative to
probationary periods, noncompetitive and entrance tests and appointment and promotion lists
shall not apply to personnel employed on the date of termination of the public service
commission. All other provisions of Tennessee Code Annotated, Title 8, Chapter 30, shall apply
to such employees. The department of personnel is directed to report to the speakers of the
senate and house of representatives within one (1) year of the termination of the public service
commission on a plan to implement noncompetitive and entrance tests and appointment and
promotion lists for such employees.

SECTION 20. The Tennessee code commission is requested to change references to
the public service commission to references to the comptroller of the treasury as sections, parts,
titles, chapters and volumes of the Tennessee Code Annotated are amended, repealed, revised

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and replaced. After the effective date of this act, any reference to the public service commission shall be deemed to be a reference to the comptroller of the treasury.

SECTION 21. The office of the comptroller of the treasury shall be the successor agency to the public service commission and all employees of the public service commission on the date of termination of such commission shall be employees of the comptroller of the treasury without any loss of benefits or break in state service. It is the intention of the general assembly that the transition from the public service commission to the comptroller of the treasury occur as provided by the provisions of this act.

SECTION 22. All laws and parts of laws in conflict with Sections 18 through 21 of this act are repealed.

SECTION 24. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 25. This Act shall take effect upon becoming a law, the public welfare requiring it.

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